

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

JANICE WASHINGTON, et al.,)	
)	
Plaintiffs,)	
v.)	No. 4:20-cv-861-SEP
)	
CITY OF ST. LOUIS, et al.,)	
)	
Defendants.)	

ORDER

On September 23, 2024, the Court held a hearing on Plaintiff's Motion for Approval of Wrongful Death Settlement, Doc. [144]. At that hearing, three individuals claiming to be members of Class (1) under Missouri's wrongful death statute, Mo. Rev. Stat. § 537.080, expressed opposition to Plaintiff's proposed apportionment of the settlement proceeds. In light of that opposition and the absence of four other suspected members of Class (1), the Court allowed any individual claiming to be a child of Louis Lyen Payton thirty (30) days to email or mail a written response to the proposed settlement.

Given that Plaintiff and the other putative members of Class (1) agree that some portion of the settlement proceeds should be apportioned to the children of Mr. Payton, the Court now orders any individual claiming to be a child of Mr. Payton to submit evidence of paternity.

Under the Uniform Parentage Act, evidence relating to paternity may include:

- (1) Evidence of sexual intercourse between the mother and the alleged father during the possible time of conception of the child;
- (2) An expert's opinion concerning the probability of the alleged father's paternity of the child based upon the duration of the mother's pregnancy;
- (3) Blood test results, weighed in accordance with the evidence of the statistical probability of the alleged father's paternity of the child;
- (4) Medical or anthropological evidence relating to the alleged father's paternity of the child based on tests performed by experts; and
- (5) All other evidence relevant to the issue of the paternity of the child.

Mo. Rev. Stat. § 210.836. "All other evidence relevant to the issue of the paternity of the child" may include, for example, a signed declaration by the individual claiming to be a child of Mr. Payton, including the basis for that claim; a signed declaration by an individual who can attest to

the relationship between Mr. Payton and the child; the child's birth certificate; and any letters or communications where Mr. Payton acknowledged or denied paternity. The Court notes that this list is not exhaustive. **Putative class members may submit any evidence tending to establish paternity. Any putative class member who fails to submit evidence of paternity will not be entitled to receive any of the settlement proceeds.**

IT IS HEREBY ORDERED that any individual who claims to be a child of Louis Lyen Payton shall send any evidence tending to establish paternity to one of the addresses below. Any such communication should identify the case number and the parties' names and must be received by the Eastern District of Missouri Clerk's office no later than Friday, February 28, 2025. Consultation with legal counsel is encouraged, but the Court will consider all responses, whether submitted by individual claimants or counsel.

Mailing Address:

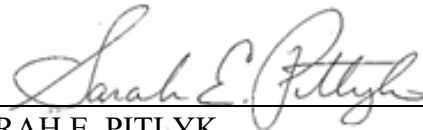
Thomas F. Eagleton Courthouse
111 South 10th Street, Suite 3.300
St. Louis, MO 63102

Email Address:

MOED_SRL_Filings@moed.uscourts.gov

IT IS FURTHER ORDERED that Plaintiff's counsel shall immediately mail a hard copy of this Order to the last known address of everyone counsel knows to have claimed to be a child of Louis Lyen Payton.

Dated this 22nd day of January, 2025.



SARAH E. PITLYK
UNITED STATES DISTRICT JUDGE